

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 7/16/2018

FRANKLIN MCKENZIE,

Plaintiff,

-v-

CITY OF NEW YORK, *et al.*,

Defendants.

17 Civ. 4899 (PAE)

ORDER

X

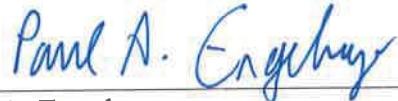
PAUL A. ENGELMAYER, District Judge:

The Court has received plaintiff's letter motion seeking to compel certain discovery, *see* Dkt. 24, as well as defendants' response, *see* Dkt. 25. On review of the parties' submissions, the Court rules as follows:

- (1) Defendants are directed to produce forthwith the several documents and records that defendants have already agreed to produce, provided that they exist. *See* Dkt. 25 at 2.
- (2) Defendants are directed to produce Officer Catanzarita's paid leave records relating to injuries he sustained during plaintiff's arrest.
- (3) Defendants are directed to provide contact information for those individuals plaintiff has heretofore identified as potentially having knowledge of matters relating to plaintiff's claims.
- (4) Defendants are directed to produce all file records documenting similar allegations and/or claims of misconduct made against the individual defendants here.
- (5) The Court denies defendants' motion to bifurcate *Monell* discovery insofar as defendants seek to delay discovery concerning the individual defendants, even if such discovery, in defendants' view, bears only on issues relating to municipal liability. As is common practice in this Circuit, however, the Court stays *Monell*

discovery into the conduct of actors other than the individual defendants until plaintiff succeeds in establishing liability against those defendants. *See Brown v. City of New York*, No. 13-cv-6912 (TPG), 2016 WL 616396, at \*2 (S.D.N.Y. Feb. 16, 2016).

SO ORDERED.



Paul A. Engelmayer  
United States District Judge

16

Dated: July 16, 2018  
New York, New York